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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/936,410	02/21/2002	Roland Nehl	7157306-0241	3625
7470	7590	06/07/2005	EXAMINER	
WHITE & CASE LLP			CHAI, LONGBIT	
PATENT DEPARTMENT				
1155 AVENUE OF THE AMERICAS			ART UNIT	PAPER NUMBER
NEW YORK, NY 10036			2131	

DATE MAILED: 06/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/936,410	NEHL, ROLAND
	Examiner Longbit Chai	Art Unit 2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 21 February 2002.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-7 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 21 February 2002 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Priority***

1. Applicant's claim for benefit of foreign priority under 35 U.S.C. 119 (a) – (d) is acknowledged.

The application is filed on 2/21/2002 but has a foreign priority application filed on 3/12/1999.

### ***Claim Objections***

1. Claim 6 is objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependency on claim 4 or claim 5, where the claim 4 should not serve as a basis for another multiple dependent claim which has a multiple dependency on claim 1 or claim 2. See MPEP § 608.01(n).
2. Same rational of objections to claims 7.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 6 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not

described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The claim limitation of claim 6 “information relating to the key to be used for the encryption is stored in the encryption data field” is not enabled by the specification. As understood by the examiner, according to the specification, information relating to the key to be used for the encryption is stored in the data field at a previously defined position (Page 8 4<sup>th</sup> Paragraph). This specific statement is clearer as to avoid the confusion that the key related INFO is also part of the encrypted data – which is impossible to be implemented like that.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A person shall be entitled to a patent unless –

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2 and 4 – 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Behram (Patent Number: 5499293), in view of Yorke-Smith (Patent Number: 5548648).

As per claim 1, Behram teaches a method for anonymizing sensitive data within a data stream, having the following steps:

a) the sensitive data field is compressed (Behram, Column 6 Line 64 – 67);

b) the sensitive data field is anonymized (Behram, Column 7 Line 22 – 24);

Behram does not disclose expressly the anonymized sensitive data field is marked within the data stream by means of start and stop characters.

Yorke-Smith teaches c) the anonymized sensitive data field is marked within the data stream by means of start and stop characters (Yorke-Smith, Column 10 Line 38 – 39: the means of using the start and stop characters is interpreted as the equivalent means to achieve the same purpose of functions to identify the start position and the stop position (i.e. by the length) of the associated data segment as taught by Yorke-Smith).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Yorke-Smith within the system of Behram because (a) Behram discloses that data anonymization can be accomplished through the data encryption techniques (Behram, Column 12 Line 33 – 37), and (b) Yorke-Smith teaches a data encryption system that provides not only the sufficient complexity which is difficult to decrypt by an unauthorized recipient but also offers a relatively short / reduced encryption / decryption time during the process (Yorke-Smith: see for example, Column 1 Line 44 – 46).

As per claim 4, Behram further teaches characterized in that the data to be anonymized is encrypted (Behram, Column 12 Line 33 – 43).

As per claim 5 (and claim 2), Yorke-Smith further teaches characterized in that sensitive data fields are at least partially filled in, with random values before the encryption (Yorke-Smith, Column 7 FillStdData – Description and Column 9 Line 59 – 60).

As per claim 6, Yorke-Smith further teaches characterized in that information relating to the key to be used for the encryption is stored in the encrypted data field (Yorke-Smith, Column 2 Line 37 – 41 and Column 10 Line 36 – 39; control block that stores the Key ID is qualified as the data field at a previously defined position that meets the claimed subject matter in the specification (Page 8 4<sup>th</sup> Paragraph)).

As per claim 7, Yorke-Smith further teaches characterized in that the sensitive data field has a fixed field length (Yorke-Smith, Column 9 Line 54 – 56 and Column 9 Line 22 – 23; fixed length is one of the options as taught by Yorke-Smith).

5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Behram (Patent Number: 5499293), in view of Yorke-Smith (Patent Number: 5548648), and in view of Goldschlag (Patent Number: 6108644).

As per claim 3, Behram as modified does not disclose expressly characterized in that the data to be anonymized is pseudonymized.

Goldschlag teaches characterized in that the data to be anonymized is pseudonymized (Goldschlag: Column 5 Line 1 – 6).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Goldschlag within the system of Behram as modified because Goldschlag teaches providing a security mechanism that offers the advantages balancing the privacy and reliability interests by using pseudonyms, thus linking customer behavior to the pseudonym rather than to the customer (Goldschlag: see for example, Column 3 Line 17 and Column 4 Line 1 – 3).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Longbit Chai whose telephone number is 571-272-3788. The examiner can normally be reached on Monday-Friday 8:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



LBC

Longbit Chai  
Examiner  
Art Unit 2131



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